

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : John F. Malitzis                      Art Unit : 3693  
Serial No.: 10/040,912                      Examiner : Sara M. Chandler  
Filed : January 7, 2002  
Title : AUTOMATED MARKET SYSTEM WITH SELECTABLE MATCH-OFF OF ORDER FLOW

## MAIL STOP PETITIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION TO REVIVE APPLICATION UNDER 37 CFR §1.137(b)

Applicant hereby petitions under 37 CFR §1.137(b) to revive the above application, which was abandoned on June 6, 2008 for failure to respond to an Office Action mailed October 31, 2007.

Attached is a Notice of Appeal in response to the Office Action to continue prosecution of the application.

Applicant submits that the entire period of delay was unintentional.

Please apply the \$1,540 petition fee and any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket no. 09857-086001.

Respectfully submitted,

Date: June 12, 2008

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**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: June 12, 2008